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APR 13 2004

U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSASIN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS

Anthony T. McGowan # 104169

V.

Greg Harmon

2:04CV00045 JTR

WJR  
FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

APR 13 2004

JAMES W. MCCORMACK, CLERK  
By: *[Signature]*  
DEP. CLERK

DEFENDANT

Motion To DISMISS

On Mar 01 2004, a Federal Habeas Petition was originally filed in above UNITED STATES DISTRICT COURT (EASTERN DISTRICT) under CIVIL ACTION NO: 2:04CV00045 JTR AND Assign to District Judge Wilson and to Magistrate Judge Bay.

On Mar 04 2004 United States Magistrate Judge order the Court Clerk to redesignate my §2254 ~~Habeas~~ Habeas action as a §1983 Civil Rights action Requesting Damages.

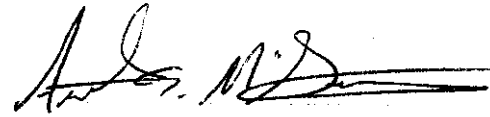
On March 23 2004 and ORDER was filed for Plaintiff to proceed in Forma Pauperis and Draft my 1983 actio on the appropriate form. The court denied Plaintiff's IFP application without Prejudice.

I was ordered to file in Forma Pauperis and re-submit complaint on appropriate §1983 form within fifteen days.

Plaintiff Hear By state that the fifteen day order will not and cannot be met. However, Plaintiff will bring forth his Complaint to a lower court Arkansas State Claims Commission.

Therefore Plaintiff Hear By Beg and Ask this

Honorable Court, To Dismiss Civil Action # 2:04CV-  
00045 JTR without Prejudice.

A handwritten signature in black ink, appearing to read "Anthony T. McGowan", with a long horizontal flourish extending to the right.

Anthony T. McGowan  
PLAINTIFF